

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHEVRON MINING INC.,

Plaintiff/Counter-Defendant,

vs.

UNITED STATES OF AMERICA,
UNITED STATES DEPARTMENT OF
THE INTERIOR, UNITED STATES
DEPARTMENT OF AGRICULTURE,

Defendants/Counter-Claimants.

No. 1:13-cv-00328-PJK-JFR

ORDER ON JANUARY 5, 2022 STATUS CONFERENCE

THIS MATTER came on for a status conference on January 5, 2022 in Albuquerque. Upon consideration thereof, the court amends the case management order as follows:

Section 1.4, paragraph 1 is supplemented to provide that objections to pre-filed direct testimony should be made via motion by March 1, 2022. Oppositions to any objections should be made by March 7, 2022.

Section 1.4, paragraph 3 is supplemented to provide that in addition to the exhibits referenced in pre-filed direct, the parties will disclose which exhibits will be used on cross-examination of each witness, as well as the exhibits for any live witness, and the order in which the witnesses will be examined. Such disclosure should occur by March

1, 2022. The parties also agreed to prepare a chart cross-referencing deposition exhibit numbers to the trial exhibit numbers.

Section 1.4, paragraph 4 is supplemented to provide that the parties should also bring unresolved objections to exhibits to the attention of the court via motion by March 1, 2022. Oppositions to any objections should be made by March 7, 2022.

Section 2.1, paragraph 2 is amended to reflect that the United States will introduce its exhibits prior to its cross-examination of Chevron's witnesses. The order of events at trial is now:

- A. Introduction of Chevron's pre-filed testimony and exhibits
- B. Introduction of United States' exhibits and cross-examination of Chevron's witnesses
- C. Redirect examination of Chevron's witnesses
- D. Introduction of United States' pre-filed testimony
- E. Cross-examination of United States' witnesses
- F. Redirect examination of United States' witnesses
- G. Chevron's rebuttal testimony and exhibits, cross-examination and redirect.

Appendix A, Summary of Deadlines, is supplemented to reflect the above March 1 and 7, 2022 deadlines concerning objections and oppositions to pre-filed direct testimony and exhibits.

IT IS SO ORDERED.

DATED this 12th day of January 2022, at Santa Fe, New Mexico.

/s/ Paul Kelly, Jr.
United States Circuit Judge
Sitting by Designation